

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JAMES HARRELL, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:14CV479 CDP
)	
THE BOEING CO., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER TO SHOW CAUSE

On August 12, 2014, I ordered plaintiffs to file any opposition to defendant Whittaker's motion to dismiss for lack of personal jurisdiction by August 25, 2014. Plaintiffs failed to oppose this motion, so it will be granted without opposition. I also directed plaintiffs to file a status report setting out the progress of this case to date, the nature and extent of any discovery conducted in state court, the nature and extent of any discovery needed before mediation, and any unique procedural or substantive requirements imposed by the state court. That status report was also due yesterday. Plaintiffs failed to file the required status report, and their time for doing so has expired. Their time for properly seeking alias summonses for any unserved defendants has also expired, as I warned plaintiffs that they were required to comply with the Clerk's Office directives regarding the proper filing of documents. To date, they still have not done so. Apparently, plaintiffs believe that my Orders are merely suggestions that they are not required to follow.


Accordingly,

IT IS HEREBY ORDERED that defendant Whittaker's motion to dismiss for lack of personal jurisdiction [#66] is granted without opposition, and defendant Whittaker is dismissed

from this action without prejudice.

IT IS FURTHER ORDERED that defendants Foster Wheeler Energy Corp. and Goodrich Corp. are dismissed without prejudice for plaintiffs' failure to timely obtain service under Fed. R. Civ. P. 4(m).

IT IS HEREBY ORDERED that plaintiffs shall show cause in writing within 10 days of the date of this Order why this action should not be dismissed without prejudice in its entirety for plaintiffs' failure to comply with my August 12, 2014 Memorandum and Order. If plaintiffs request that the Court not dismiss this action, then their response to this Memorandum and Order to Show Cause shall include a status report as required by my August 12, 2014 Memorandum and Order. Failure to timely comply with this Memorandum and Order to Show Cause will result in the dismissal of this action without prejudice without further notice or Order from this Court.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 26th day of August, 2014.